

Docket# C15-1828
Petition under 28 U.S.C.
2254 For writ of Habeas
Corpus by a person in
State Custody

Notice

Plaintiff Jihad Shahaddah
as a pro se recognizes
the Brady Violation for
failure to disclose exculpatory
evidence qualifies as
obstruction by the government
that prevents the filing of
the claim. For the purpose of
the statutory limitations
tolling provision for situations
where a Defendants actions
obstructed the filing of any
action.

Hicks v. Director
Dept. of Corrections 289 Va. 288,
768 S.E. 2d 415 (2015) code 8.01-
229(D).

Ineffective Assistance Of Counsel Standard

The petitioner has the burden of proving by a preponderance of the evidence his claims of ineffective assistance of counsel. *Green v. Young*, 264 Va. 604, 608, 571 S.E. 2d 135, 138 (2002); *Nolan v. Peyton* 208 Va. 109, 112, 155 S.E. 2d 318, 321 (1967).

Petitioner must first prove that his counsel's performance was deficient, meaning that counsel made errors so serious that counsel was not functioning as the counsel guaranteed the defendant by the Sixth Amendment. Petitioner must show that that the deficient performance prejudiced the defense.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the following is true and correct.

4/12/20

Jihad Shaddah

Proof of Service

The declarant declares that a document was mailed or served on.

4/12/20

Jihad Shaddah